HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2731 OF 2005.

Shri Eknath Dangorkar & Anr. ...Applicants.

V/s.

The State of Maharashtra. ...Respondent

Shri P.R.Arjunwadkar, with D.N.Gondhali, for applicants.

Shri A.S.Gadkari, APP for respondent.

CORAM: A.M.KHANWILKAR,J
DATE : MAY 2, 2005

P.C. :-

1. Heard the counsel for the parties and perused the record.

2. The counsel for the applicant fairly accepts that although, 3 accused out of 26 accused have been released on bail, applicants are not claiming parity alongwith them.

3. Having regard to the evidence on record to indicate complicity of the applicants in the commission of the crime and the offence being serious one, not a case for bail.

4. I see no reason to depart from the conclusion reached by the court below, in rejecting application for bail of the present applicants. In so far as the applicant No.1 is concerned, there is evidence to suggest that he was responsible for throwing explosive towards the injured who suffered serious injuries due to said explosion. In so far as applicant NO.2 is concerned, there is evidence to suggest that he alongwith other accused attacked the complainant and the injured. The applicant No.2 is said to have used stick during the said assault. Having regarding to the serious injuries suffered by the injured, not a case for bail. Hence rejected.

5. As prayer for bail is rejected, Sessions Judge, Raigad is directed to assign the case to Fast Track court, if already not assigned, so as to ensure early disposal of the trial. In case, it is not possible to assign the trial to Fast Track Court for any reason, whatsoever, the Judge dealing with the trial shall ensure the early disposal of the trial as High court expedited case.

6. In the event, the trial court is of the opinion that the applicants are responsible for delay in trial in any manner, that fact be recorded in roznama, which

will be taken into account as and when occasion arises.